

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RUSSELL OUTZ,	)	4:01CV3090
	)	
Plaintiff,	)	
	)	
vs.	)	<b>ORDER</b>
	)	
NOVARTIS CONSUMER	)	
HEALTH, INC.,	)	
	)	
Defendant.	)	

IT IS ORDERED that:

1. Defendant's motion to dismiss (filing 133) is denied.
2. Pursuant to the court's settlement order (filing 134), this action will be subject to dismissal without prejudice unless the parties file a joint stipulation for dismissal on or before December 8, 2006.

December 4, 2006.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge